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SENATE BILL 1141

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO MARRIAGE; PROVIDING FOR MARRIAGE EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. -- This act may be cited as the "Marriage Education Act".

Section 2. FINDINGS. -- The legislature finds:

- A. the divorce rate is accelerating;
- B. just as the family is the foundation of society, the marital relationship is the foundation of the family;
- C. strengthening marriages leads to stronger families, children, communities and economy;
- D. an inability to cope with stress from both internal and external sources leads to significantly higher incidents of domestic violence, child abuse, absenteeism,

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1 medical costs, learning and social deficiencies and divorce;

2 E. once learned, relationship skills can
3 facilitate communication between parties to a marriage and
4 assist couples in avoiding conflict;

5 F. once relationship skills are learned, they can
6 be generalized to parenting, the workplace, schools,
7 neighborhoods and civic relationships;

8 G. by reducing conflict and increasing
9 communication, stressors can be diminished and coping can be
10 furthered;

11 H. when effective coping exists, domestic
12 violence, child abuse and divorce and its effect on children,
13 such as absenteeism, medical costs, learning and social
14 deficiencies, are diminished; and

15 I. the state has a compelling interest in
16 educating its residents with regard to marriage and, if
17 contemplated, the effects of divorce.

18 Section 3. EDUCATION AND RESOURCE INFORMATION. --

19 A. Courts, government agencies and government-
20 supported entities dealing with children, youth and families
21 and domestic relations, including court and county clerks and
22 civil magistrates, shall offer to interested persons written
23 information about marriage and domestic relations education
24 and counseling providers when that information is made
25 available to the courts, governmental agencies or government-

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1 supported entities by the provider.

2 B. When the provider information is made available
3 pursuant to Subsection A of this section and the provider is
4 within a reasonable distance from the court, agency or entity
5 offering the information, the provider shall include:

6 (1) a member of the clergy or clergy-
7 supervised marriage education or counseling program;

8 (2) a trained marriage educator or licensed
9 marriage and family therapist; and

10 (3) marriage education or counseling
11 providers, curricula, programs or referral services listed,
12 funded or authorized by:

13 (a) the United States department of
14 health and human services;

15 (b) the United States department of
16 agriculture's cooperative extension service;

17 (c) the United States department of
18 defense or the individual military services;

19 (d) a federal agency not listed in this
20 paragraph or a state or local government agency;

21 (e) a community marriage policy,
22 healthy marriage initiative, marriage resource center or
23 similar institution, including the national healthy marriage
24 resource center;

25 (f) smart marriages/the coalition for

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1 marriage, family and couples education or a program listed on
2 its world wide web internet site or presented at one of its
3 conferences; or

4 (g) the national registry of marriage
5 friendly therapists.

6 C. When persons contact a court or civil
7 magistrate to express an intention to marry, apply for a
8 marriage license, file for any kind of domestic relations
9 order with a court or file for a divorce, the county or court
10 clerk or civil magistrate shall ask the persons if they have
11 received marriage education. If the answer is no or
12 noncommittal, the clerk or civil magistrate shall offer the
13 persons the information described in Subsection A of this
14 section.

15 D. The information described in Subsection A of
16 this section shall be offered regardless of whether the
17 provider has a religious affiliation or focuses on a segment
18 of the general population. Courts, agencies and entities
19 offering the information shall not remove indicators of a
20 religious, racial, ethnic or other focus from the provider's
21 information.